

GUIDELINES OF TAKFIR (BY THE GOVERNMENT SCHOLARS)

FROM THE ARCHIVES: 1427 AH

BY: SHAYKH
NASR AL-FAHD

ضوابط التكفير

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بقلم الشيخ ناصر الفهد

اعلم - أجي المسلم - أن من أهم ضوابط التكفير، والتي أغفلها أهل العلم كالهم والألسنة أن لا يكون الذي ارتكب نواقض الإسلام من "ولاية الأمر"، لأن تكفير ولاية الأمر مهما ارتكب من النواقض تكاد السماوات ينغصرن منه وتشتق الأرض وتغر له الجبال هذا.

وينبغي على هذا الضابط قاعدتان مهمتان:

القاعدة الأولى: أن كل دليل من قرآن أو سنة يدل على أن ما ارتكبه "ولاية الأمر" هو من نواقض الإسلام فهو إما ملوّل أو منسوخ.

القاعدة الثانية: أن كل إجماع مقول على أن ما ارتكبه "ولاية الأمر" هو من نواقض الإسلام فهو عطاء، وإرتكاب "ولاية الأمر" لهذا الناقض يدل على أن المسألة فيها قولان.

وهذان القاعدتان قد اتفق عليها "الراسخون في العلم"، ووجهها "حدثنا الأستاذ" و"سفهاء الأحلام".

والدليل على هذا الضابط هو القرآن والقواعد الشرعية والاستقراء.

أما الدليل من القرآن فهو قوله تعالى عن فرعون أنه قال: ﴿إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ فَلَا أُفِيكُمُ الْغَيْبُ﴾، والقاعدة الأصولية تقول: إن العبرة بعصم النطق لا بخصوص النسب، فهذا الكلام وإن كان قاله فرعون موسى فإنه ينطبق على جميع الفرائض من "ولاية الأمر"، وأنه لا يرون شعوبهم إلا مانيون ولا يهدوهم إلا سبيل الرشاد.

ولو أننا كفرناهم بما يظهر من الأدلة أو الإجماعات، لكان هذا عمالما لقول فرعون: ﴿وَأَنَا أَهْدِيكُمْ إِلَى سَبِيلِ الرَّشَادِ﴾، وهذا طاهر.

وأما الدليل من القواعد الشرعية: فإن القاعدة الشرعية المعروفة التي اتفق عليها الراسخون في العلم تقول: "وأن الشيوخ أخص".

وأما الدليل من الاستقراء: فإنه قد ظهر بالاستقراء أن هناك إجماعات فصلت على أن بعض الأعمال نواقض للإسلام، فإن ارتكباها "ولاية الأمر"، فدل البحث والتقصي من ذلك على أن المسألة فيها قولان.

ضوابط التكفير

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TAWHĪD CORPORATION

Guidelines of Takfir - According to Government Scholars

by: Shaykh Nasr Al-Fahd

Know - my Muslim brother - that one of the essential guidelines for *takfir*, which most of the Scholars have unfortunately neglected, is that the person who commits any of the nullifiers of Islam should not be from the *Wali al-Amr*, Rulers(those in authority), because making *takfir* of the Rulers, no matter what nullifier of Islam they had committed, is something which would almost cause the skies to split, the earth to break open and the mountains to fall apart.

Their criterion is built upon two essential principles:

The first principle: is that every piece of evidence, whether it is from the Qur'an or Hadith, which indicates that the Rulers have breached one of the tenets of Islam, can either be interpreted or abrogated.

The second principle: is that every *ijma'*(consensus), which indicates that the Rulers have breached one of the tenets of Islam, is erroneous. Because it is the Rulers who have breached(one of the tenets of Islam), suddenly there arise two opinions regarding this matter.

And "those who are well-grounded in knowledge" have agreed upon these two principles (above), and it is only those who are 'young in age' with 'foolish dreams' (*sufahaa' al-ahlaam*) who are ignorant of these principles.

And the evidence for this *daabit*(principle) is from the Qur'an, the legal *shar'i* tenets, and *al-istiqrar*'(the deriving) of evidence.

As for the evidence from the Qur'an, it is Allah's statement regarding what Fir'awn had said [to his people]:

مَا أُرِيكُمْ إِلَّا مَا أَرَىٰ وَمَا أَهْدِيكُمْ إِلَّا سَبِيلَ الرَّشَادِ

**I show you only that which I see (correct), and I guide you only to the
path of right guidance! [Ghafir 29]**

And one of the foundational principles is that 'consideration is given to the general meaning of the text and not its specific circumstance.' So this speech, even though the Fir'awn at the time of Musa said it, applies to all of the pharaohs from the Rulers of today since they do not show their people except what they see correct and guide them only to the path of right guidance.

And so, if we make *takfir* of them with what is clear from the evidence or *ijma'*, it would be contrary to the statement of Fir'awn, **"and I guide you only to the path of right guidance!"** [as they believe that they are the ones who guide the people, just like Fir'awn], and this is apparent.

As for the proof from the *shar'i*(legal) principles, it is the well-known *shar'i* principle which "those who are firmly grounded in knowledge" have agreed upon, which is: "The elders have more understanding and experience."

And as for the derived proofs, it is apparent through *istiqraa'*(the deriving of proofs) that there is *ijma'* which have been explained regarding some actions that can nullify a person's Islam. But if the Rulers perpetrate any of them(the nullifiers of Islam), then research and investigation suddenly direct us to two opinions(principles) in this issue.

And here are two examples (of the above):

The first is that of Ibn Hazm, Ibn Kathir, and others who have narrated *ijma'* about the *shirk* of legislating rulings and how a person becomes an apostate by doing that. However, when the Rulers breach this tenet of Islam, there suddenly appear to be two opinions(principles) regarding this issue.

The second is that of Ibn Baz, Ibn Humayd, and others who have narrated *ijma'* regarding the *kufr*(disbelief) of the one who assists the disbelievers against the Muslims. Still, then when the Rulers commit this act of *kufr*(disbelief), suddenly there appear to be two opinions(principles) regarding this matter.

And this is always the general rule(according to government scholars) that you must “bite and hold onto with your molar teeth.”

The Exceptions

And know, may Allah bless you, that this rule(of the Government Scholars) is not always the general rule; instead, it has an important exception. The one who doesn't recognize it would fall into contradiction and confusion. And the exception is that if the Ruler breaches a tenet of Islam, only then would the rule apply. However, when he nullifies one of the tenets of the United Nations, he is no longer infallible, and the rule would no longer apply.

An example of that is Saddam Hussein. When he abided by the laws of the United Nations, then Ba'athism, socialism, nationalism, arbitration laws, and the massacres and slaughtering, and so forth did not matter; instead, he was (called) the “Eastern Gatekeeper,” the “Noble Knight” and (even) “Salahudin.” However, when he breached

one of the tenets of the United Nations – and I seek refuge in Allah – when he occupied Kuwait, then the system of being infallible did not apply to him any longer. He was then considered a disbeliever, apostate, Ba'athist, socialist, and Taghut!

So understand this exception(of the Government Scholars) well.

All praise belongs to Allah, the Lord of creation. May
the *salah* and *salam* [of Allah] be upon our prophet
Muhammad, his family, and his companions *ajma'in*.

Any good is from Allah, and any mistakes in this
translation is from the publisher – not from
Shaykh Nasr al-Fahd.
May Allah hasten his release



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SAFAR 1443